

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WILLIAM LESLIE BATTLE,

v.

UNITED STATES OF AMERICA

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Case No. 3:13-cv-01197

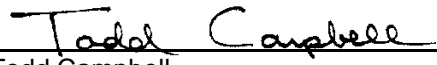
Judge Campbell

ORDER

This Court entered an order denying William Battle's § 2255 motion to vacate, set aside or correct his sentence by order entered April 23, 2014. (ECF No. 35.) The movant has now filed a timely Notice of Appeal. Because this Court already gave notice that it declined to issue a COA, pursuant to Rule 22(b)(2) of the Federal Rules of Appellate Procedure, the movant's Notice of Appeal automatically constitutes a request to the judges of the court of appeals for a COA.

The notice of appeal, however, was not accompanied either by the \$505 filing fee or by an application to pursue the appeal *in forma pauperis*. The movant **MUST**, within **30 DAYS**, cure this deficiency by submitting to this Court either the \$505 fee or a completed and properly supported motion to proceed on appeal *in forma pauperis*. In accordance with Rule 24(a)(1) of the Federal Rules of Appellate Procedure, the petitioner must attach to his motion an affidavit in which he claims an entitlement to redress and states the issues that he intends to present on appeal. The movant is forewarned that failure to submit the requisite filing fee or motion to proceed on appeal *in forma pauperis* in accordance with Rule 24 within the 30 days allotted may result in summary dismissal of the appeal.

It is so **ORDERED**.



Todd Campbell
United States District Judge